IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No 3098/2005

PETITIONER

M/s.Kanker Roadways, Through Partner-Preetam Singh Garcha, S/o. Late Shri Jogendar Singh Garcha, Aged about 57 years, R/o. Civil Lines, Raipur (C.G.)

3205/05
Presented by Shri A.R. Shirpurkar
dated 8/7/05

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Department of Transport, D.K.S. Bhawan, Raipur.

2. Regional Transport Authority, Chhattisgarh at Raipur.

3. Gurjindar Singh, Bus Operator, Jagdalpur (C.G.).

4. Anand Mishra, Bus Operator, Jagdalpur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

DETAILS OF THE PETITION

XI-HC-22

(12)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3098/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20-7-2005

Shri B. K. Rawat, counsel for the petitioner.

Shri Yashwant Singh Thakur, Govt. Advocate for respondent No.1.

Heard both the counsel.

The instant petition has been filed by the petitioner being aggrieved by the order dated 31st March 2005 whereby the Regional Transport Authority rejected the application of the petitioner for grant of regular permit from Jagdalpur to Bhopalpatnam via Geedam, Beejapur.

Para-4 of the impugned order shows that the said application was rejected on the ground that Guljinder Singh who is holding permit No.94/04 from Beejapur to Jagdalpur, his bus departure time is 6 am whereas, the petitioner's proposed time is 5.58 am from Beejapur.

From perusal of time schedule Anenxure-P/1 shows that there is factual mistake in the impugned order because the time of departure of objector Guljinder Singh's as per the permit is 6.30 am

(पीछे देखिये)

XI-HC-22

(19)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3098/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

and not 6 am, therefore, very foundation of this order is wrong and on account of this the impugned order is liable to be quashed.

In view of the above, the writ petition is allowed and the impugned order is quashed. The matter is remitted back to the R.T.A. and the R.T.A. is directed to consider the application afresh after giving opportunity to the objector and decide the application in accordance with law.

In view of this order, I.A. No.6029/2005 stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C. Bhadoo
Judge

Curve